

DETENTION ORDER - Page 2

- (b) At the time of the current arrest, the defendant was on:
- ☐ Probation
 - ☐ Parole
 - ☐ Release pending trial, sentence, appeal or completion of sentence.
- (c) Other Factors:
- ☐ The defendant is an illegal alien and is subject to deportation.
 - ☐ The defendant is a legal alien and will be subject to deportation if convicted.
 - ☐ The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.
 - ☒ Other: The defendant is a citizen of Zimbabwe and his mother and siblings reside in Zimbabwe with whom he maintains regular contact. He married a U.S. Citizen who resides in Omaha with their child. The defendant was arrested in Texas following the IRS investigation and interview. He has several arrests for failure to appear in local courts, one resulting in a bond forfeiture. The defendant is seeking asylum in the United States.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 13, 2011.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge